

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Joseph Johnson,

Civil No. 05-159 (RHK/AJB)

Plaintiff,

ORDER

v.

Special Agent Josh Florell, et al.,

Defendants.

Before the Court are Plaintiff's Objections to the October 18, 2006, Report and Recommendation of Magistrate Judge Arthur J. Boylan. Judge Boylan has recommended granting Defendants' Summary Judgment Motions and dismissing with prejudice Plaintiff's Second Amended Complaint.

The undersigned has reviewed de novo the Report and Recommendation and Plaintiff's Objections thereto. The Court determines that the Report and Recommendation is fully supported by the factual record before Judge Boylan and controlling legal principles, and that Plaintiff's Objections are without merit.

Accordingly, and upon all the files, records and proceedings herein, **IT IS ORDERED:**

1. Plaintiff's Objections (Doc. No. 95) are **OVERRULED**;
2. The Report and Recommendation (Doc. No. 94) is **ADOPTED**;
3. Defendants' Motions for Summary Judgment (Doc. Nos. 64 and 74) are **GRANTED**; and
4. The Second Amended Complaint (Doc. No. 31) is **DISMISSED WITH PREJUDICE**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: November 21, 2006

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge